Rc **(1952) Department**

Ms **SERIES.**

G.O. No. ~~865~~ 856

Dated 22-3-52

[Despatch Abstract.]

Land Acquisition - Co-operative Housing schemes - Defence of suits and filing of appeals - Powers - delegation - Registration of Co-operative Societies - Amendment to ~~R.C.S. Os~~ R.S. Os Nos. 90, 92 &

REVENUE DEPARTMENT.

Subject:
Land Acquisition - Co-operative Housing Schemes - Defence of suits and filing of appeals - Powers - Delegation to Registrar of Co-operative Societies - Amendment to B.S.Os - Submitted.

Madras. Ref.I.8441/51-1. Dated 12.2.1952.

Sri N.C.Thomas, B.A., Joint Secretary,
Board of Revenue.

Sri W.R.S.Satianathan, I.C.S., Commissioner of Land Revenue.

Read: G.O.Ms.No.4250 Development, d/25.9.51.
Government Memo. No.69919 C/51-1,/dated 17.10.51. /Revenue

REFERENCE:

With reference to the Government Memo. read above, the Board submits the following amendments to its Standing Orders 93 and 95 and also to Standing Order 90 and requests that they may be approved. The Registrar of Co-operative Societies has also agreed to the amendments.

(a) Add the following at the end of item 3 in the first Sub-para B.S.O. 93, Para 2(i) page 679 Volume III.

"Except those arising from Land Acquisition for Co-operative Housing Schemes. In the latter type of reference it shall be competent for the Registrar of Co-operative Societies to sanction the defence."

(b) Add the following as a note under the existing para one (i) of B.S.O. 95 page 685 Volume III .

"Note: The Government Pleader should correspond likewise with the Special Land Acquisition Officer, Co-operative Housing Scheme, Madras (instead of the Collector) in regard to suits arising from acquisitions for Co-operative Housing Scheme. The Special Land Acquisition Officer should submit the papers on receipt to the Registrar of Co-operative Societies and obtain his orders as to whether an appeal should be preferred or not".

(c) Add the following note (4) under B.S.O.90-16: page 551 Volume III.

"When a case relating to acquisition for Co-operative Housing Schemes has been referred to the Civil Court, the Special Land Acquisition Officer, Housing Schemes, should arrange for the defence of his award as if it were a suit against the Government after obtaining the sanction of the Registrar of Co-operative Societies under item (3) in the first sub para of B.S.O.93, Para 2(i). When the Civil Court does not uphold the award, the Special Land Acquisition Officer should obtain the orders of the Registrar of Co-operative Societies on the questions of filing an appeal or a Memorandum of Cross objections against the decree of the Civil Court".

2. The Board also submits that these amendments to the Board's Standing Orders involve a corresponding amendment to Part II of the Land Acquisition Manual. It requests that the following amendment to the Land Acquisition Manual may also be issued:-

Add. the following as Note (4) to para 16, B.S.O.90-Part II of the Land Acqusition Manual Page 50:

" Note: When a case relating to acquisition for Co-operative Housing Schemes has been referred to the Civil Court, the

(B.T.O.)

Special Land Acquisition Officer, Housing Schemes , should arrange for the defence of his award as if it were a suit against the Government after obtaining the sanction of the Registrar of Co-operative Societies under item (3) in the first sub-para of B.S.O. 93, para 2(i) . When the Civil Court does not up hold the award, the Special K Land Acquisition Officer should obtain the orders of the Registrar of Co-operative Societies on the question of filing an appeal or a Memorandum of cross objections against the decree of the Civil Court".

(Sd.) x x x,
For Joint Secretary.

To The Secretary to Government, Revenue Department.

/True Copy/

gh.23.8.

23.8

GOVERNMENT OF MADRAS.
ABSTRACT.

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Land Acquisition - Co-operative Housing schemes - Defence of suit and filing of appeals - powers - delegation to Registrar of Co-operative Societies - Amendment to 90, 93 and 95 to Land Acquisition Manual - B.S.Os - Approved.

Revenue Department.

G.O .Ms.No.856. Dated 22nd March 1952.
Read the following:-

G.O.Ms.No.4250, Development dated 25.9.1951.
Memorandum to the Board of Revenue, Ref.~~I.8444/51-1~~, No.69919C/51-1, Revenue dated ~~12.2.1952~~ 17.10.1951.
From the Board of Revenue, Ref.I.8441/51-1, dated 12.2.1952.

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O R D E R:

The draft amendments to B.S.Os. 90,93 and 95 submitted by the Board of Revenue in paragraph 1 of its Reference read above are approved.

2. The draft amendment to the Land Acquisition Manual specified in the appendix to this order is approved and issued. The Superintendent, Government Press is requested to ~~pay~~ print the amendment as the 105th list of corrections to the Land Acquisition Manual and distribute copies thereof in accordance with the distribution contained in Appendix II to G.O.Ms.No.2475 Revenue dated 4.11.1946 after recovering the cost wherever necessary.

(BY ORDER OF ETC.,)

(Sd.) x x x,
Secretary to Government.

To The Board of Revenue(Land Revenue)
To The Registrar of Co-operative Societies.
py To The Development Department.
~~Copy to the St~~

A P P E N D I X.

105th list of corrections to the Land Acquisition Manual
Page 50 - Part II of the Land Acquisition Manual B.S.O. ~~80~~ 90.

In paragraph 6 of B.S.O. 90, the following shall be inserted as note (4), namely:-

Note: When a case relating to acquisition for Co-operative Housing Schemes has been referred to the Civil Court the Special ~~arrange~~ Land Acquisition Officer, Housing Schemes, should arrange for the defence of his ~~Government~~ award as if it were a suit against the Government after obtaining the sanction of the Registrar of Cooperative Societies under item (3) in the first sub-paragraph of paragraph 2(i) of B.S.O. 93. When the Civil Court does not uphold the award, the Special Land Acquisition Officer should obtain the orders of the Registrar of Cooperative Societies on the question of filing an appeal or a Memorandum of cross objections against the decree of the Civil Court".

/True Copy/

R Ramaswamy 23/8/52
SUPERINTENDENT,
Madras Record Office,
Madras.

gh.23.8.

23/8/